



By \_\_\_\_\_  
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Name of Depositor: Daryl K. Neff

Signature

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: <b>Michael C. Gaidis et al.</b>	Date: <b>December 5, 2006</b>
Serial Number: <b>10/709,999</b>	Examiner: <b>Dung Anh Le</b>
Filed: <b>June 11, 2004</b>	Group Art Unit: <b>2818</b> <b>Conf. #3998</b>
Title: <b>METHOD OF PATTERNING A MAGNETIC TUNNEL JUNCTION STACK FOR A MAGNETO-RESISTIVE RANDOM ACCESS MEMORY</b>	Joseph P. Abate IBM Corporation D/18G, B/321, Zip 482 2070 Route 52 Hopewell Junction, NY 12533-6531

### NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

MS AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the last decision of the Examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) is \$500.00.

Please charge the fee to Deposit No. 09-0458 of the Assignee.

I am an attorney acting under 37 CFR 1.34.

Respectfully submitted,  
**Michael C. Gaidis et al.**

By:

Daryl K. Neff, Attorney  
Registration No. 38,253  
Telephone: (973) 316-2612

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